

**BUDGET & FINANCE COMMITTEE**  
**of the**  
**SUFFOLK COUNTY LEGISLATURE**  
  
**Minutes**

A regular meeting of the Budget & Finance Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on Thursday **June 3rd, 2004.**

**MEMBERS PRESENT:**

Legislator Andrew A. Crecca, Chairman

Legislator William J. Lindsay, Vice•Chairman

Legislator Allan Binder

Legislator Daniel P. Losquadro

Legislator Lynne C. Nowick

Legislator David Bishop (Excused absence)

**ALSO IN ATTENDANCE:**

Mea Knapp, Counsel to Legislature

Ilona Julius, Deputy Clerk

Jim Spero, Budget Review Office

Lynne Bizzaro, Chief Deputy County Attorney

Bob Bortzfeld, County Executive's Office

Ben Zwirn, Assistant Deputy County Executive

Linda Bay, PO's Office

Ray Zaccaro, Aide to Legislator Foley

William Shannon, Department of Public Works

Thomas B. Williams, Cornell Cooperative Extension

Chris Smith, Cornell Co•op

DeWitt Davis, Cornell Co•op

Steve Tettelbach, Cornell Co•op

Emerson Hasbrouck

Gary M. Simonson, Suffolk County Real Property Tax Service Agency

Harld Jansen, Commanding Officer Marine Bureau

Paula Grant, Division Administrator of the Child Support Bureau

Allen Kovesdy, Assistant Budget Director

Brian Harper, Commissioner of Health.

MINUTES TAKEN BY:

Diana Kraus, Court Stenographer

**(THE MEETING CONVENED AT 1:15 PM)**

**CHAIRMAN CRECCA:**

It's 1:13. We're going to call the Budget & Finance Committee to order. If everyone could please just refrain from conversations for a moment so that we could do the Pledge of Allegiance. Folks, would you •• Paul, Kevin, Pete, Anthony, I just want to do the Pledge of Allegiance led by Legislator Lindsay.

**(SALUTATION)**

**CHAIRMAN CRECCA:**

Thank you very much. We have one card and that is from Gary Simonson from Real Property Tax Service Agency. Is Mr. Simonson here? How are you? Have a seat, make yourself at home and feel free to address. Just before we get started, too, for the Clerk, Legislator Bishop asked for an excused absence today and I have so granted one. Just pull the button toward you on the top. Thanks.

**MR. SIMONSON:**

Mr. Chairman, Honorable Legislators, my name is Gary Simonson. I'm Deputy Director of the •  
• Deputy Director of the Suffolk County Real Property Taxes Service Agency. Mrs. LaValle can't be here and she just asked me to read a statement.

"We are in strong opposition to Introductory Resolutions 1505 and 1453. With due respect to the sponsors of these resolutions, I believe the appearance of excess of funds in 110 item salary count on paper at this time is problematic to most agencies. As of this Friday we will

have five vacancies due to retirement and resignations this year. We are currently canvassing for two approved positions and have submitted a turnover savings plan for the rest of this year for the remaining three positions. It is imperative that this Committee understand the enormous amount of revenues per employee the real property garners for the county. On the average year each employee •• each employee brings in approximately three hundred thousand. I consider that a budget analyst and Legislator's dream. We need to staff the function to deal with our ten thousand document backlog that affects our revenues and interest everyday. We have been judicious in every budget request and we have made every year before this Legislature our constant record of increased production and new ways to produce revenue speaks for itself. We attempt to handle the backlog, but at times because of the great influx of documents, we have to resort to overtime and temporary help. Any excess of funds in this account is earmarked to serve the public and process the documents for revenues. I urge you to look elsewhere to support what may be worthy causes, but where the revenues don't amortize the expense as we so efficiently do." End of statement.

**CHAIRMAN CRECCA:**

There were two resolutions, 1505 and what was the second one?

**MR. SIMONSON:**

1453. 1453.

**CHAIRMAN CRECCA:**

I'm sorry. I apologize. What was the other number?

**MR. SIMONSON:**

The second one was 1453.

**CHAIRMAN CRECCA:**

Hold up. Just let me •• okay, I've got it. Thank you very much.

**MR. SIMONSON:**

Thank you.

**CHAIRMAN CRECCA:**

Legislator Lindsay has some questions.

**LEG. LINDSAY:**

Not for yourself. For Budget Review. Real Property was used as an offset for both of those

resolutions?

**MR. SPERO:**

Yes.

**LEG. LINDSAY:**

Why was Real Property selected?

**MR. SPERO:**

Based on the current staffing, we're projecting a surplus in the permanent salary accounts in that department. So, it's just one of the departments that had a surplus, so we selected it.

**LEG. LINDSAY:**

Okay. Thank you.

**CHAIRMAN CRECCA:**

That satisfy your question?

**LEG. LINDSAY:**

Yes.

**CHAIRMAN CRECCA:**

Thank you, Mr. Simonson. Can I ask Legislative counsel if she's in the building to join us at the horseshoe, please? Just one minute, folks. Actually, I asked the Clerk, did you •• Public Hearing 1476, was that published?

**MS. JULIUS:**

They were published.

**CHAIRMAN CRECCA:**

And it was published as today being the public hearing?

**MS. JULIUS:**

Yes.

**CHAIRMAN CRECCA:**

There seemed to be a little confusion as to what day it was. No, not by the Clerk's office. By some members on my staff. So, today is the public hearing.

**MS. JULIUS:**

Yes.

**CHAIRMAN CRECCA:**

**Then at this time I would open IR 1476 for public hearing. (A Charter Law amending C4•13 to allow amendment of the Capital Budget for mandated projects.)** I have no cards on it. There's a motion to close the public hearing on IR 1476 by myself, seconded by Legislator Binder. All those in favor? Opposed? **The public hearing on IR 1476 is closed.**

And I have a motion to table by Legislator Binder **IR 1476 (adopting Local Law No •2004, a Charter Law amending C4•13 to allow amendment of the Capital Budget for mandated projects)** seconded by myself. All those in favor? Opposed? **And IR 1476 is tabled in Committee. (Vote: 5•0•0•1).** We closed the public hearing, Madam Clerk.

Going to Tabled Prime Resolutions on the agenda, we have **IR 1034 amending the 2004 Capital Program and Budget and appropriating funds for the construction of a skate park at Smith Point County Park, Town of Brookhaven,** I have a motion to approve by Legislator Losquadro, seconded by Legislator Crecca. All those in favor? Opposed? **1034 is approved. (Vote: 5•0•0•1)**

**IR 1200 amending the 2004 Operating Budget and the Salary and Classification Plan to establish a compliance officer to insure accountability,** I have a request from the Comptroller. And, I think, through Budget Review to table this resolution. Motion to table by Legislator Nowick, seconded by Legislator Losquadro. All those in favor? Opposed? **1200 is table. (Vote: 5•0•0•1)**

**1275 (a resolution rescinding Bond Resolution No. 1190•2002, adopted December 17, 2002 and repealing the authorization of the issuance of \$3,650,000 serial bonds of the County of Suffolk, New York, to cover the cost of the State share of grant funds for the Suffolk County Farmland Preservation Program for the acquisition of agricultural development rights.),** a very long titled resolution rescinding bond resolution

number 1190 of 2002. On both this one IR 1275 and IR 1276, my notes indicate that we were waiting for explanations from the County Executive. Is Mr. Knappe here? I'm sorry, Bob. I didn't see you there. It's just •• I think it's about the third or fourth time it's appeared on our agenda. And there was some question regarding it.

**MR. BORTZFELD:**

Both resolution 1275 and 1276 are duplicative resolutions; you know, there was a duplicate authorization for the borrowing for these particular projects. All these are clean up resolutions to take them off the books, to remove them. It doesn't impact any particular projects. The projects are ongoing, done. And it just removes the duplicate authorizations for them.

**CHAIRMAN CRECCA:**

Again, I apologize, I just want to make sure I understand. You're saying that we've already •• we issued bonds twice for 1190 of 2002?

**MR. BORTZFELD:**

No. We authorized bonds twice. And this one •• these are rescinding the separate authorizations.

**CHAIRMAN CRECCA:**

Okay. And the same with 1043; IR 1043 of 2003?

**MR. BORTZFELD:**

That's correct.

**CHAIRMAN CRECCA:**

All right. Is there a way to confirm that with the Budget Review Office? Or do you need time to do that?

**MR. SPERO:**

I'll just double check it for Tuesday's meeting if you could discharge them out in the meantime, if you'd like.

**CHAIRMAN CRECCA:**

Okay.

**LEG. BINDER:**

Chairman, obviously I'm concerned •• if I'd be concerned about anything, it would be 1276 because it's in my district at Park Avenue, Old Country Road. And it's a Broadway. It's a major project in my district. I want to make sure that obviously that nothing's going to happen to the project. We have major •• major traffic problems there. And as long as nothing happens to the project, I'm okay.

**CHAIRMAN CRECCA:**

What I'm going to do is ask, I'll move to discharge both of these out to the floor. What I would ask is two things. Number one, from the Budget Office. Bob, if you would just give us real brief memo in writing just explaining it so we have it. And also I would ask for the same thing from Budget Review. Just a very brief memo, couple of sentences confirming the reasoning behind this and maybe the times that they were both duplicatively issued. With that in mind, I'll make a motion to discharge without recommendation IR 1275, seconded by Legislator Lindsay. All those in favor? Opposed? **1275 is discharged without recommendation.**  
(Vote: 5•0•0•1)

And **1276 (a resolution rescinding Bond Resolution No. 1043•2003, adopted December 2, 2003, and repealing the authorization of the issuance of \$1,870,000 serial bonds of the County of Suffolk, New York, to pay the cost of the acquisition of land for the reconstruction of CR 35, Park Avenue in the vicinity of Old County Road to CR 86 Broadway•Greenlawn road, Town of Huntington.)** Same motion, same second, same vote. (Vote: 5•0•0•1)

**1441 is amending the 2004 Capital Budget and Program and appropriating funds in connection with the purchase of a catamaran patrol vessel•police.** Is there a motion on this? I'll entertain a motion to table. I'm sorry, Legislator Binder. Yes, Mr. Zwirn.

**MR. ZWIRN:**

Thank you, Mr. Chairman. I apologize. It's been a pretty busy morning. This is 1441 in connection with the catamaran patrol vessel for the police department. Representatives of the police department are here today to answer any questions you might have on that. We'd like to see that one move so it's to replace a vessel that has been •• it's not •• it was not usable anymore. It was destroyed, I think, two years ago. But the Police Department is here to answer any questions and to make their pitch for this vessel.

**CHAIRMAN CRECCA:**

I think there was a question, just so •• I don't remember the details so I apologize. But maybe between budget review and the Budget Office, there was •• I think there was a question not with the underlying need for the vessel, I think it had something to do with the funding. But if somebody from the police department would still come forward. I'm trying to remember what the question was. Jim, what's the offset on this before we get •• Jim.

**MR. SPERO:**

The offset used is project 1755, which the Legislature puts in the capital budget for its use during the year.

**CHAIRMAN CRECCA:**

That's the reason why. It had nothing •• it had nothing to do with the merits, but I would like, if you can give us a brief explanation as to the need for the boat. But I think •• I couldn't remember, Mr. Zwirn, I apologize, I knew there was a problem with the offset. And we had asked the County Executive to go back and look for an alternative offset. So, that was the reason for it. We are meeting, again, obviously in two weeks time. So, maybe we could try to work this out between now and then. But ••

**MR. JANSEN:**

Am I on here?

**CHAIRMAN CRECCA:**

You're on.

**MR. JANSEN:**

Good. Good afternoon. My name is Harold Jansen. I'm Commanding Officer of the Suffolk County Marine Bureau. And the need for this boat so to replace what was called our marine Romeo boat, which was the supervisor's boat, 25-foot twin engine outboard with all weather capability. It had heat, full compliment of electronics and was basically used year-round to supervise all of our water borne officers. And that generally covers the Great South Bays. In the height of the season, it can be five boats. In the winter months it's generally two patrol sectors. The boat that it's replacing was a 1991 Boston Whaler; that during the '02 service interval, it was noticed to have stress cracks on the chines, which is the portion of the boat where the bottom and the sides meet. We contacted Boston Whaler in regard to the stress

cracks and followed their recommendations as far as repair. Had some vendors come in and give us estimates. The cost estimate for professional repair range between \$17 thousand and \$22,500 to repair the boat. I spent a couple of hours in the library trying to determine the value of the boat and the best I came up with was \$15 thousand. So, to spend \$22 thousand on a \$15 thousand boat seemed to be in no one's best interest including ours because we weren't certain that we were going to have a useful product when we were completed with this.

We followed Boston Whaler's recommendation. We took an earnest attempt to repairing it ourself and the boat only lasted two additional months before it sank. Fortunately, we were in shallow water and they were able to ground the boat on a sand board. And they recovered both of the outboard motors as well as the officer's personal gear. And there was no harm done to either one of the officers on board. We pointed this out that we didn't feel comfortable at this point after having that major failure to even explore further a repair on a boat that had a useful life of 15 years. It was in its 13th year of operation and had a value that was less than the cost of repair. So, at that point we began to explore other styles. And certainly included Boston Whaler into that. But their particular model didn't seem to meet our needs in that it was a boat easy to handle, came into this 75 to 90 thousand dollar price range, and had something with a proven track record. The model that they had to replace this was just being released. And we didn't feel comfortable moving in that direction.

We demoed several boats from established manufacturers; Parker, Sea Ark, Monarch, Glacier Bay •• of course that's the one that we're interested in. And Glacier Bay is unique in that it's not a planing hull. It's a displacement type catamaran. And it rides very soft, which is very important to us when the Supervisor who is operating this boat alone is spending in some cases seven or eight hours of the day on the water, you know, performing his function. He, aside from supervising, he's also another person on the water to give aid and engage in enforcement. We demoed the boat in two different locations. One was up in Connecticut. The other was down in the Great South Bay. And we feel very confident that that is a useful product for us at this time.

**CHAIRMAN CRECCA:**

Legislator Losquadro, did you have a question or no?

**LEG. LOSQUADRO:**

Since you're here, I just had more of a technical question on the boat, on the Catamaran's style

hull. Obviously you've demoed it, you're satisfied with its capabilities at speed. Obviously, this will be used in assistance and patrol duties.

**MR. JANSEN:**

That's correct.

**LEG. LOSQUADRO:**

It's as stable and as suited for patrol needs as a traditional hull?

**MR. JANSEN:**

Actually it's much more stable than a traditional hull because the catamaran gives you, for lack of a better description, a larger footprint in the water.

**LEG. LOSQUADRO:**

Right. It also, I know, cuts through the water through chop better so ••

**MR. JANSEN:**

Right. That's exactly what we're interested in.

**LEG. LOSQUADRO:**

Okay. Thank you.

**CHAIRMAN CRECCA:**

Thank you, Legislator Losquadro. If there are no further questions, I've got a motion to table from Legislator Binder, seconded by myself.

**LEG. BINDER:**

I'm sorry. Just make it clear •• I want to make it clear on the record that it's just a question of funding sources. It's not a question of the mission, the need. I think there will be universal acceptance on the Legislature. But we're concerned about setting a precedent on this particular use of funds. So once we can get a new offset, I think you'll an get 18•0 vote.

**MR. JANSEN:**

Thank you for your support.

**CHAIRMAN CRECCA:**

Motion to table by Legislator Binder, second by myself. All those in favor? Opposed? **1441 is**

**tabled. (Vote: 5•0•0•1)**

**Introductory Resolution 1449 amending the 2004 Operating Budget transferring funds for Touro Law School Family Law Clinic and creating a position in the Child Support Enforcement Bureau.** There's a motion by Legislator Binder. I'm sorry, the County Attorney wanted to speak on that?

**MS. BIZZARRO:**

Yeah, I faxed over a list of some resolutions I wish to speak on today.

**CHAIRMAN CRECCA:**

Sure. That's fine.

**MS. BIZZARRO:**

Thank you.

**MR. ZWIRN:**

Mr. Chair, we have someone from Child Support Services here as well.

**CHAIRMAN CRECCA:**

Absolutely.

**MR. ZWIRN:**

Thank you.

**CHAIRMAN CRECCA:**

If we can fit them at the table, we'll take them. This is •• just what I would ask, Ms. Bizzarro, is just ••

**MS. BIZZARRO:**

Yes.

**CHAIRMAN CRECCA:**

•• may as well speak on them as we get to them. So, may as well just stay up there. It was 1449 and I lost the sheet of paper my office gave me this morning as to which bills it was.

**MS. BIZZARRO:**

I have 1449, 1463, 1475. You've already tabled 1476 and 1501.

**CHAIRMAN CRECCA:**

Okay.

**MS. BIZZARRO:**

Thank you.

**CHAIRMAN CRECCA:**

Ms. Bizzarro, on 1449.

**MS. BIZZARRO:**

Thank you for the time. I'll be brief. I just want to •• I just wish to bring to the Committee's attention that pursuant to Section C4•31 G of our Charter, we can have this type of resolution be presented to amend the Operating Budget as long as the purpose of such modification is to reduce, lower, terminate or cancel appropriations or to abolish positions of employment. Also, to terminate contract agencies, to terminate or reduce the size of County programs or departments or to make transfers of appropriations. This resolution is improper in that it seeks to create a new position in DSS not authorized under the Charter and there is no offset.

I'd just like to mention also that Touro was defunded in the 2004 Operating Budget because it had not complied with the disclosure requirements contained in Section 4•35A of the charter. If I could just mention also that the same legal issues I have stated now apply also to IR 1501. Thank you.

**CHAIRMAN CRECCA:**

So, the problem with the resolution specifically is the addition of the position?

**MS. BIZZARRO:**

Right. And there's no offset.

**CHAIRMAN CRECCA:**

There's an offset in the Operating Budget.

**LEG. BINDER:**

It's in the 110 •• Jim, is the money in there already? I got that from Budget Review that the money was already there.

**MR. SPERO:**

Payroll projections showed that based on the existing staff, they would have excess appropriations.

**MS. BIZZARRO:**

There is an offset mentioned here, but it doesn't relate to the position being created.

**MR. SPERO:**

The position would be funded out of the existing appropriations, similar to what was done earlier this year with the ethics position.

**LEG. BINDER:**

Right, which is •• which is something we did under the law as it exist. We didn't add any new money, so there's no new money. But it was a direct request of DSS who said they needed this position. It was only added because the department wanted the position. So now, it's funny you add the position; and then they •• then administration comes up and says, oh, well, you can't add the position because we don't want you to do that now. And, also by the way, this is in the last one that was vetoed and there was nothing in the veto message, no discussion of this; as far as I know there was not one thing said about the concern about this. And now all of a sudden it's a concern. And so, I think it's •• it's obvious that, you know •• well, I know what's obvious.

**CHAIRMAN CRECCA:**

I guess •• let me first hear from Miss Grant and then I have a question or two for the County Attorney. For those of you who don't know, it's Paula Grant from ••

**MS. GRANT:**

Good afternoon. I'm Paula Grant, the Division Administrator ••

**CHAIRMAN CRECCA:**

She's got it on.

**MS. GRANT:**

Got it on? Can you hear me? I'm the Division Administrator of the Child Support Bureau. I guess I can only repeat what I said on the previous bill; that the Touro Program did provide a good service for the relatively few custodial parents it did serve since its inception in 1998; that the County Attorney's Office continues to serve •• provide legal services for CSEB clients. And then •• they have advised us that they're able to provide services for all of the clients including

the number that had been served by Touro. No, none of our clients will be denied legal services if Touro's not funded. And that the •• the department is attempting to use the money that's in the 456 account that's suggested as an offset to obtain and supplement our accounting services that would serve several thousand of our cases on a project that we're working on. And ••

**CHAIRMAN CRECCA:**

Miss Grant, let me ask you this because I spoke to •• and I forget her last name •• one of the administrators at Touro Law School yesterday •• to get a little more information on the program. And one of the things that she shared with me that the students that were handling some of these cases were handling some of the more intensive cases in the sense of discovery matters. And cases that did take a lot of resources away from the County Attorney's Office and time. That was a representation that was made to me. I can only say that not recently but in the past I've worked with some of these cases. And I know that they have been sometimes more complex. But I guess I would get your take on that.

**MS. GRANT:**

I think that the County Attorney did supervise and work with Professor Silverman to provide cases that would be of assistance to the students. I think that if anybody •• students do a lot of discovery because they're students and they have one case. And so they're able to really provide a lot of service to a case. I'm not saying that they didn't do a good job. But the County Attorney has advised us that they're able to provide services for these clients, so I don't ••

**CHAIRMAN CRECCA:**

Is it the department's position •• I mean I know it's a policy decision, but would you prefer not to have the program or prefer to have the program? Or is that an unfair question to ask?

**MS. GRANT:**

Well, I mean it's a good •• I'm sure it's a •• it is a good program. And we were happy to have it at that time. But it's fiscal ••

**CHAIRMAN CRECCA:**

Fiscal decision for the Legislature, right.

**MS. GRANT:**

And I feel that, you know, we can make better use of the money the way we're going to •• the way we're going in the 456 account for the accounting services. If it's a question of either or,

then, our preference would be to leave it where it is.

**CHAIRMAN CRECCA:**

Just so you understand, too, some of the history behind this, because when we did the budget last year, this was discussed and the money was specifically put into that account for this program with the idea that we would look •• re•look at the program and re•exam it and make a decision this year. No, I'm just telling you that doesn't •• I totally understand what resources you need.

**MS. GRANT:**

I understand. I understand.

**CHAIRMAN CRECCA:**

And we want to give you •• you do a fine job there, an excellent job. And I can say that to you personally having worked on some constituent issues and things like that, the collection unit does a phenomenal job and we want to give you whatever resources you need in order to get the job done.

My next question and then, I'm sorry, Legislator Binder, Ms. Bizzarro, how did we do it when we added the ethics position?

**MS. BIZZARRO:**

I was just thinking of that. I think we moved under 4•32 of the Charter. And they created the position under the Department of Law and slated funds within the Department of Law and indicated that there was a sufficient amount of funds in the Department of Law to pay for that. I don't see that in this resolution. I don't know where the money would come from to pay for this account clerk.

**CHAIRMAN CRECCA:**

Budget Review.

**MR. SPERO:**

It could only come from one place. And that's the Child Support Enforcement appropriation. And can only be filled to the extent existing appropriations are available to fill the position. We never budget 100% of the cost for 100% of the positions. It's something called turnover

savings. And we budget amount of turnover savings to certain percentage each year and reduce appropriations accordingly. So departments must and can only fill positions within the available appropriations.

**MS. GRANT:**

I understand that within the Department of Social Services there isn't funding for this position. We're in the Department of Social Services.

**CHAIRMAN CRECCA:**

I can hear her but you guys aren't getting it?

**MS. GRANT:**

I'm sorry. I said that it's my understanding that in the Department of Social Services there is not money for this position.

**CHAIRMAN CRECCA:**

Jim, is there enough money in the account listed here to fund this position for the rest of the year?

**MR. SPERO:**

When we reviewed the payroll account for the department back when the resolution was drafted, there were sufficient funds to fill this position for a half year or so assuming no other positions were filled. So, the department would have to make a choice as to what positions would be filled of the vacancies that exist.

**MS. GRANT:**

I can only say we haven't been able to fill the ten positions that you gave us in the 2004 budget.

**LEG. BINDER:**

You just need the SCIN forms. Unfortunately ••

**CHAIRMAN CRECCA:**

When you say you haven't been able to fill them ••

**LEG. BINDER:**

It's not because of budget. You don't know so then you shouldn't be commenting on the budget. Right. Okay. So, you're not a budget person from Social Services so you shouldn't be commenting on that.

**MR. BORTZFELD:**

If I might comment, there is shortfalls in the 110 account since Social Services, you know, based on the adopted budget from the turnover savings that were increased during the budget process. So, they have an overall problem in Social Services in the 110 accounts.

**CHAIRMAN CRECCA:**

Jim, I apologize but I'm just trying to get through this. Our understanding was that they did not have a problem in the 110 account. There was sufficient funds there to meet the year's needs. But ••

**MR. SPERO:**

I could go back •• go to the office and check our latest 110 projection for the department and •

**CHAIRMAN CRECCA:**

I'd like you to do that. I want to skip over this one and come back to it.

**MR. BORTZFELD:**

While we're still on it, may I add also regarding the use of the funds for the Touro Law School, 456 account, there is a request to the audit committee to look at •• bringing the audit firm in to pick up on this backlog of CSEB cases to bring it all up to date through 1995 so that they can cover these issues and bring any additional monies into CSEB. That was the intent for using these funds at this stage.

**LEG. BINDER:**

That wasn't our intent. That wasn't our intent when we did the budget. Our intent was to •• the question was whether we should do an RFP on this particular program and just let others bid on it. And that is what I'm trying to change here, is just the policy of whether we should bid on the particular program. And I find it interesting in a \$2 billion county that \$76,000 is going

to destroy Child Support Enforcement because you don't have it for something else; that there's no \$76,000 to bring in an audit agency. It's an amazing thing to me and it's pretty clear what's going on.

**CHAIRMAN CRECCA:**

I'm going to pass over it, Legislator Binder. We're going to go to **1450 amending the 2004 Operating Budget transferring funds for not for profit community based organizations.**

**LEG. LINDSAY:**

Motion.

**CHAIRMAN CRECCA:**

Motion by Legislator Lindsay, seconded by Legislator Nowick. All those in favor? Opposed?  
**1450 is approved. (Vote: 5•0•0•1)**

**1453 amending the 2004 Operating Budget and transferring funds for the Education and Assistance Corporation in the Child Support Enforcement Bureau. Budget and Finance.** Is there a motion? Motion to approve by Legislator Lindsay, seconded by myself. Actually •• yes.

**MR. KOVESDY:**

Hi. I'm Allen Kovesdy from the County Exec's Budget Office.

**CHAIRMAN CRECCA:**

How are you doing, sir? You just need to use the microphone so it gets recorded.

**MR. KOVESDY:**

I just wanted to say again what Gary did; that you're taking funds between this and the other resolution in the amount of \$55,000 from Real Property. And the money will be needed in Real Property to fill the vacancies they currently have and to deal with a severe backlog. The backlog turns into money when the pieces of paper hit the County Clerk's Office. We're talking about millions of dollars. And we use any surplus funds in real property to pay for temporary positions and for overtime to move the paper. So, we'd appreciate that, if you needed an offset, it didn't come from an area where we're going to spend the money in the department.

In addition, Real Property, all the money in Real Property is in the 100's. There's no place else

in the department to get money. So we feel that taking this offset sets a bad precedent. The money is needed within Real Property and we would appreciate it if it would stay there.

**LEG. LINDSAY:**

I would like to skip over this because, again, the analysis by our Budget Review Office that there was excesses in this account •• let me just finish, please. And that what we're looking here from my fellow Legislators is to restore \$20 thousand to this program that, again, does a similar thing that Legislator Binder does to help with the recovery of child support payments. And of the \$20 thousand we're looking to be restored, I'm told that there is about 16,000 of that's recoverable in the form of state aid for a net cost to us of \$4,000. It just seems to be money well spent. But, Jim is here now.

Jim, we have a difference of opinion that we're onto 1453 now on whether there's excesses in that account to use it as an offset.

**MR. SPERO:**

This the Real Property account?

**LEG. LINDSAY:**

Right.

**MR. SPERO:**

We're projecting a surplus of \$170,000 based on existing filled position. So, if no other positions are filled during the year, we'll have a surplus of \$170,000.

**CHAIRMAN CRECCA:**

There's a motion •• Legislator Lindsay, oh, this is on 1453, right?

**LEG. LINDSAY:**

Yeah.

**MR. SPERO:**

In Social Services department wide we're projecting a surplus of 218,000 based on term refill positions.

**CHAIRMAN CRECCA:**

There's a motion on 1449, I'm going to jump back there and do that by Legislator Binder. I

think it was seconded by Legislator Lindsay. All those in favor? Opposed? **1449 is approved. (Vote 5•0•0•1)**

On 1453, that is before us, too, there's a motion to approve by Legislator Lindsay, seconded by Legislator Binder. All those in favor? Opposed? **1453 is approved. (Vote: 5•0•0•1)**

**1457 amending the 2004 Operating Budget and transferring funds for Family Service League.** There's a motion to table by ••

**LEG. BINDER:**

I'll make a motion to table subject to call. I'll be withdrawing.

**CHAIRMAN CRECCA:**

Okay. We'll do it •• we'll leave it as a motion to table subject to call for now by Legislator Binder seconded by myself. All those in favor? Opposed? **1457 is tabled subject to call. (Vote: 5•0•0•1)**

**1459 amending the 2004 Operating Budget transferring funds for Vail•Leavitt Music Hall,** there's a motion by myself, seconded by Legislator Binder. All those in favor? Opposed? **1459 is approved. (Vote: 5•0•0•1)**

**1463 amending the 2004 Operating Budget and creating a position in the County Legislature Budget Review Office,** I'm going to make a motion to table. I think this was amended after the deadline. Seconded by Legislator Lindsay. All those in favor? Opposed? **1463 is tabled. (Vote: 5•0•0•1)**

**1467 a bill to readjust, compromise and grant refunds and chargebacks on correction or errors by the County Treasurer #189,** there's a •• anything unusual about this one or is this proforma, Jim or Bob?

**MR. SPERO:**

These are proforma resolutions.

**CHAIRMAN CRECCA:**

Okay. There's a motion to approve by Legislator Nowick and place on the consent calendar, seconded by Legislator Losquadro. All those in favor? Opposed? **1467 is approved and the Clerk is directed to place on the consent calendar. (Vote: 5•0•0•1)**

**On 1468 (to readjust, compromise and grant refunds and chargebacks on correction or errors) is the same motion, same second, same vote. (Vote: 5•0•0•1)**

**1469 (to readjust, compromise and grant refunds and chargebacks on correction or errors/County Treasurer by County Legislature #173), same motion, same second, same vote. (Vote: 5•0•0•1)**

**1470 (to readjust, compromise and grant refunds and charge•backs on real property correction of errors by County Legislature), same motion, same second, same vote. (Vote: 5•0•0•1)**

**1475 is amending the 2004 Mandated Operating Budget creating positions in the Sheriff's Office and transferring funds**, sponsored by Legislator Carpenter. There's a motion by myself, seconded by Legislator Nowick. On the motion.

**LEG. LINDSAY:**

Can we have an explanation.

**CHAIRMAN CRECCA:**

Yes. Do you want me to do it or do you want •• this was •• Jim, you wanted to take it and I'll •

**MR. SPERO:**

This is creating 13 correction officer II positions, three correction officer III's, and one correction officer IV position.

**LEG. LINDSAY:**

Is this to comply with the resolutions in the operating budget?

**CHAIRMAN CRECCA:**

Yeah. What happened •• what happened was this is a supervisor's •• we added 50 correction officers, I believe, during the Operating Budget this year. This would provide late in the year the necessary supervisory staff for those positions. It does not •• when it creates these new positions, it takes them from existing correction officers and promotes them; is that correct,

Jim?

**MR. SPERO:**

That's correct. These would be in addition to the positions included in the Operating Budget. But this is including the contingency account.

**CHAIRMAN CRECCA:**

This is a cost of \$56,000 for this year. 56,450.

**LEG. LINDSAY:**

To create 13 positions, the cost is only 56 ••

**CHAIRMAN CRECCA:**

They're not new positions. They're promotions of existing correction officers.

**MR. SPERO:**

It's only •• it's only funding for a partial year.

**CHAIRMAN CRECCA:**

And it's only funding for the promotion.

**MR. ZWIRN:**

Are these •• I asked the same question as Legislator Lindsay. Are these new positions? Are we adding 17 new positions to the correctional staff?

**MR. SPERO:**

That's correct.

**MR. ZWIRN:**

So these are •• not just promotions. These are all new positions in addition to what's in the budget? And that's not going to cost \$58,000?

**LEG. LINDSAY:**

Mr. Chairman?

**CHAIRMAN CRECCA:**

Yes. Legislator Losquadro.

**LEG. LOSQUADRO:**

They are •• they are promotions of existing staff; but then will the positions that they vacate will then be filled by the staff that we already approved? Who will be filling those positions that they vacate?

**MR. SPERO:**

It's a promotional ladder so a correction officer II would be filled from a correction officer I. A III from a II and a IV from a III. You fill ••

**LEG. LOSQUADRO:**

So, it's really •• it's really just a •• it's just a promotion with the •• through the cycle of promotion in the entire corrections department?

**MR. SPERO:**

There would be 13 promotions and then there would be 13 correction officer One vacancies created after all the promotions have been made.

**LEG. LINDSAY:**

If I may, Mr. Chairman, as •• and really the Budget Review, if my recollection is correct in last year's operating budget when we were putting it together, we made a conscious choice to add both additional deputy sheriffs and correction officers to try and rein in part of the ongoing overtime problem. Now, this is not part of that plan? This is in addition to that plan? Because as I remember, there was both starting positions and officers' positions that was put in on one of them.

**MR. SPERO:**

This is in addition to.

**LEG. LINDSAY:**

I don't know how we can fund it out of the current budget.

**MR. SPERO:**

The transfer is \$56,415 from the bond anticipation note account to the Sheriff's permanent services account.

**LEG. LINDSAY:**

But where •• \$56,000 I could see might cover some minimal promotions for 17 people. It

certainly isn't going to fund the back filling of the ••

**MR. SPERO:**

No, it would not fund the back filling, no.

**CHAIRMAN CRECCA:**

But the back filling would be a decision that would be made to the 2005 budget. My understanding is these newly created supervisory positions would not be filled until •• I thought it was late in the year so •• •

**MR. ZWIRN:**

Is there a fiscal impact statement? We didn't get one with this originally.

**CHAIRMAN CRECCA:**

Budget Review?

**MR. ZWIRN:**

Do you have one, Jim?

**MR. SPERO:**

Maybe I can find one on the computer.

**CHAIRMAN CRECCA:**

You know, I also have more information on this, Mr. Zwirn, too, and I apologize. I don't have it with me today. I just looked in my notebook for it. That's why I was talking to Legislator Binder about it. Any luck, Jim?

**MR. SPERO:**

I haven't found it yet.

**CHAIRMAN CRECCA:**

I'm going to skip over it for a moment, go to 1476 •• I'm sorry, yeah, you're right, I didn't have it marked on mine.

**On 1501 (amending the 2004 Operating Budget and transferring funds for Amityville Police Department),** there's a motion to table subject to call by Legislator Binder, seconded by Legislator Nowick. All those in favor? Opposed? **1501 is tabled subject to call. (Vote: 5•0•0•1)**

1505 is a resolution amending the 2004 Operating Budget and transferring funds to the Amityville Police Department. Does Budget Office have any information on this bill?

**MR. KOVESDY:**

This is taking •• again taking money from Real Property Department for bay constable in Amityville. It's a program that was in last year's budget, but they never submitted the paper work or a budget to the County; therefore, they weren't paid for their services last year.

**CHAIRMAN CRECCA:**

Do they provide the services, do you know?

**MR. KOVESDY:**

I don't know. We haven't received a contract, any backup or any information whatsoever.

**CHAIRMAN CRECCA:**

Just so •• just so we're clear, though, too, I did speak to Legislator Bishop earlier today who couldn't be here. He had indicated that the County had acknowledged that it was partially their error, too. That was my understanding; that it was an error both on the Police Department and on •• this is what I was told by Legislator Bishop •• I'm just repeating •• as well as the County. So, beyond that, I thought there might be more details.

**MR. BORTZFELD:**

Just a lot of it may be just to delay. This was one of the later ones that was added on at the very late portion of the year. And the contract work, what have you, that was done was not submitted in time. The information to actually accrue the expenses back to 2003 was not done in time. So, it was a combination of things all the way down the line.

**CHAIRMAN CRECCA:**

All right. Maybe what we can do is have a more •• I can table it for now. We're meeting again in two weeks. And we can get •• maybe a more explanation from the sponsor as well as more information from the County Executive's Office. Ray, I'm sorry. Did you want to say something?

**MR. ZACCARRO:**

Thank you. I supplied some additional backup that was not in the resolution, which includes a letter from the Town of Babylon stating that there seemed to have been a problem of misplaced paper work at sometime. And that somehow or another accounted for. The gentleman who performs a task for the bay constable has been doing this for a number of years. And the money was appropriated in the '03 budget but for whatever reason he •• the paper work was not completed within the Town of Babylon. The Commissioner of the police department sent a letter giving another explanation that there was different pseudo code used than had been in the past; may have added to the confusion. And we have three different levels of government that have acknowledged some sort of responsibility for this money not actually •• a check not being cut.

**CHAIRMAN CRECCA:**

I would just ask the executive •• I just •• did you see the letter from the Police Department, from Commissioner Dormer? Maybe I could share •• yeah, Ray, would you just share a copy with him?

**MR. ZWIRN:**

The question is not the services or the services provided. The question in our point of view is the offset.

**CHAIRMAN CRECCA:**

I know, but the Commissioner directly •• again, I'm not arguing with you, Bob, just the Commissioner indicates that there was an oversight as far as the Police Department is concerned. Commissioner Dormer's acknowledging that. So, I just don't want to penalize somebody if there was an error on the County's part. That would be my only concern here. I will pass over this for a moment and we'll come back to it. Maybe you can take a quick look at that and, you know, if not, we can always table it, so.

**IR 1507 transferring contingent funding for various contract agencies (phase II),** there is a motion by Legislator Nowick, seconded by Legislator Lindsay. All those in favor? Opposed? **1507 is approved.**

**(Vote: 5•0•0•1)**

**1509, amending the 2004 Operating Budget and transferring funds for William Floyd**

**Community Summit and for South Country Community Ambulance**, there's a motion by myself, seconded by Legislator Losquadro. All those in favor? Opposed? **1509 is approved.**  
**(Vote: 5•0•0•1)**

Mr. Losquadro, yes. I don't have 1506.

**1513 establishing a Storm Drain Pollution Remediation Program and amending the Operating Budget**, was this one of the resolutions that you wanted to speak on?

**MR. ZWIRN:**

Yeah, this is a •• I was out of the office this morning. But I understand •• I did get a call from ••

**CHAIRMAN CRECCA:**

I know where you were.

**MR. ZWIRN:**

I got a call from somebody from the County Attorney's office. One of the Deputy County Attorneys. And they asked if •• they're working with Mr. Bishop on this bill, if they could just table it for this short cycle and work out some problems in it. We're supportive of the bill. We just can't •• there was some technical corrections, if it was possible just to ••

**CHAIRMAN CRECCA:**

I don't have a problem with it. The only problem is I spoke to Legislator Bishop an hour•and•a •half ago. And he asked me to move it; said it was ready to be moved so ••

**MR. ZWIRN:**

I understand. I would have liked to talked to Legislator Bishop as well. I didn't realize he was not going to be here and I didn't get a chance to talk to him before that.

**CHAIRMAN CRECCA:**

My recommend ••

**LEG. LINDSAY:**

Do you know what the problem is?

**MS. BIZZARRO:**

I think •• I've looked at it briefly. It looks like there are ••

**LEG. LINDSAY:**

I mean the funding comes from the quarter cent dedicated fund to clean up the bays. It seems appropriate. And the funding source seems appropriate.

**MS. BIZZARRO:**

Yeah. I think the issue is whether or not there were some committees that have to be involved. And perhaps they weren't. There's no mention of them in the resolution. The charter gives the management committees of the South Shore Estuary Reserve, Peconic Estuary Program and Long Island Comprehension Conservation Management a role in recommending projects. Further, there's a resolution that was passed in 2002 creating the Water Quality Review Committee to review all projects and to make recommendations that are in accordance with recommendations made by those other committees. There's just no mention of any of the committees or whether or not there were recommendations to do this. So, my office was reaching out to speak with Legislator Bishop.

**CHAIRMAN CRECCA:**

I'm going to •• I was going to suggest that we send it out to the floor and if they can •• things can be resolved before Tuesday, they'll be no issue. And if not, we can always table it on the floor. So with that, I'll make a motion to discharge without recommendation, seconded by Legislator Lindsay. All those in favor? Opposed? **1513 is discharged without recommendation. (Vote: 5•0•0•1)**

**1514 is amending the 2004 Operating Budget and transferring funds in the County Legislature.** I make a motion to table, seconded by Legislator Binder. All those in favor? Opposed? **1514 is tabled. (Vote: 5•0•0•1)**

**1550 is amending the 2004 Operating Budget to transfer funds from the Suffolk County Water Protection Reserve fund to Cornell Cooperative Extension for restoration of Peconic Bay Scallop populations and fisheries.** Was the County Executive speaking on this one?

**MR. ZWIRN:**

We have Bill Shanahan from DPW.

**CHAIRMAN CRECCA:**

Bill Shannon.

**MR. ZWIRN:**

Sorry. He's here.

**CHAIRMAN CRECCA:**

You made him sound like a 50's singer there for a second.

**MR. ZWIRN:**

I thought he was.

**CHAIRMAN CRECCA:**

I don't know. I've never heard Bill sing, but ••

**MR. SHANNON:**

Mr. Chairman, if I may so, if you'd be so kind, I have some members of the Cornell Cooperative Extension here, who are the original applicants for this program. I'd like to be able to have them come up and address specific questions regarding the program if you don't mind.

**CHAIRMAN CRECCA:**

Absolutely. Ms. Bizzarro, could I just you to make some room? That's all.

**MR. SHANNON:**

Good afternoon. I thank you for the opportunity to speak regarding this IR for the restoration of Peconic Bay scallop populations and fisheries. Last year the Department of Public Works was charged with the responsibility for the Water Quality Review Committee. And in the process of the committee's business, we prepared applications, check sheets and grading scores for a process of bringing projects to the Legislature for approval. In the end of December we reviewed this application. And this is the beginning of several programs that you will see. As we speak, there are other projects and other committees being reviewed. And this application came to us through Cornell. The committee unanimously approved it as an appropriate use of water quality funding. And we bring it to you for your approval. It directly satisfies the •• one of the requirements set out for project type as outlined in the Suffolk County code.

I have with me Tom Williams Executive Director of the Cornell Cooperative Extension. On my left DeWitt Davis in the Planning Department. And also on my left Chris Smith from Cornell. And on his left •• Steve Tettelbach from Long Island University.

**CHAIRMAN CRECCA:**

I'm waiting for some backup materials that came with the resolution. I guess I'll start out with the questioning since •• unless •• did you want to ••

**LEG. LINDSAY:**

I'd just like an explanation of what ••

**CHAIRMAN CRECCA:**

Yeah. Why don't you start off with that? With an explanation of what the program actually does and where the dollars are going to because it's my understanding it's a \$2.2 million appropriation that this bill is asking for out of the Water Protection Money, the 477 fund.

**MR. SHANNON:**

That's correct. It's a four•year program. 2.2 million for water quality funds. Also \$300,000 from the Long Island university. And from the Cornell Cooperation Extension a partial offset to that cost.

**CHAIRMAN CRECCA,**

Maybe Tom can explain exactly what the program does.

**MR. WILLIAMS:**

Hi, I'm Tom Williams, the Director of Cornell Cooperative Extension. Thanks for having us up here. This is a project to really bring back scallops into Peconic Bay. As you remember in the early 1990's there was a brown tide that swept the bay and virtually eliminated the scallops from the bay. And it's been a struggle since then to bring them back. We've made various efforts to bring them back. We planted scallops here and there. But the effort has just not been successful. And the research that's been done that Chris Smith and Steve Tettelbach from Long Island University can speak to is that we feel we really need to do this in a big way. We need to give a shot of adrenaline, if you will, to the Peconic Bay to make this work. And so we are proposing to bring back scallops, to put in millions of scallops in the bay so that they can support each other and that they can really come back and make the bay flourish again and be •• and there be a Peconic Bay scallop. We feel it's kind of an endangered species and this is a way that we can help bring it back. Some of the details of that, if I can turn that over to Chris Smith, who's our Director of our Marine Program at Cornell.

**MR. SMITH:**

Hello. I'm Chris Smith. I'm Marine Program Director at Cornell. The effort really will

encompass a three•part planting initiative. What we've discovered through research on scallop populations in Japan that are self•supporting as well as meetings from the National Marine Fishery Service, a group of experts met recently about shellfish populations and focussed on a bay scallop, is that the problem in Peconic Bay is there's just very little brood stock out there to kick the scallop back off. Last year's landings were the lowest in history at 1800 pounds of meats. And there's just not enough adults to really sustain a major recovery of the bay scallop.

We have designed this project to attack this on a regional basis with massive plantings of bay scallops. The plantings would encompass ten million smaller scallops that would be planted. One million scallops would be cultivated until they're ready to spawn. And those would be located in nets and protected from predators and they would spawn. And we would also free plant on the bottom one million large adult scallops after approximately a year or so of cultivation right until they get ready to spawn. So, through these efforts we feel that those concentrations of scallops will give the native population a real chance to come back where presently very few scallops exist.

We designed the budget really to reflect what we feel is necessary to do this. Primarily the vast majority of this budget is going towards equipment that we need to grow these many scallops. Over the years the Southold Marine lab that we run has become the foremost location to cultivate bay scallops in the country. Also by joining up with Long Island University at Southampton, we bring really what is a nation's expert in bay scallop ecology, Dr. Steve Tettlebach, to this project to follow•up on these plantings and monitor the results. And we can continue to learn how to refine the effectiveness of these plantings.

**CHAIRMAN CRECCA:**

Chris, I'm sorry I thought you were done.

**MR. SMITH:**

So, what's needed right now is just to plant •• a root force plant, a lot more scallops. And then the populations will have a chance to kick themselves off. And in terms of cost recovery, Bill mentioned the \$300,000 in match, but I would also like to offer a unique way of helping recover funds from this project. And it was actually suggested by DeWitt in an earlier conversation we had sometime ago and has found its way into the resolution, in that the million bay scallops that exist in those nets, are a valuable commodity. The 18,000 •• I mean the 18 hundred pounds of meats last year brought close to \$35,000 harvest from the wild fisheries. And I feel

if we follow the precedents set by the federal government in helping to fund research through sales of some of the fin fish products that they manage, that we might also be able to sell some of these scallops perhaps in auction kind of mode that would give everyone a chance to purchase them. And that we could cost recover over the four year period between 400 and \$500,000 that would go directly back into account 477. As you know with the scarcity of the Peconic Bay scallop, it's value is very high. And I think in an auction setting, we could get quite a bit of funds back for this effort. We didn't really put that in the proposal primarily because we hadn't talked to DeWitt and applied his genius on that idea. But, also we would want to get permission from Suffolk County to do that before we would even entertain that possibility. I feel there's precedent in doing this in other levels of government that have done similar types of things.

**CHAIRMAN CRECCA:**

I've got one question, Chris, and then Legislator Losquadro has a question. How does this •• what does this do as far as protecting the water? Obviously, it certainly does a lot to protect the scallop. But, you know, it is a water protection fund and ••

**MR. SMITH:**

Well, if you look in the water protection fund, and, DeWitt, I think you're the author of it, it has a natural resources component that's very clear in terms of assisting in restoring shellfish populations. It states that. Maybe there could be a quote. But also submerge aquatic vegetation in other aspects of natural resources in addition to the water quality component. DeWitt, I don't know if you want to say anything?

**MR. DAVIS:**

If I may, DeWitt Davis, from Suffolk County Planning Department. Section 12•2 A (2) of the Charter indicates the types of projects that are eligible for funding under the Water Quality Protection and Restoration Program. And under the title "Aquatic Habitat Restoration," there's a number of things including, I quote "bay scallop and other aquatic species restoration efforts. It's right in there.

**CHAIRMAN CRECCA:**

And I don't •• I don't think anybody doubts the •• that it's eligible under the program. I guess my question is does it do anything to directly impact the water quality?

**MR. SMITH:**

Well, certainly shellfish have been shown that through filtering out plankton or excess amounts of plankton, they help to ensure high dissolved oxygen concentration because blooms of plankton can cause decreases in dissolved oxygen. So, they have somewhat of a benefit to the water quality in that aspect.

**CHAIRMAN CRECCA:**

Legislator Losquadro, and then I'll jump back in.

**LEG. LOSQUADRO:**

Sure, just a quick question. Obviously, you're experts on the subject but I feel compelled to ask. Obviously, there are many different species within a particular type. Is this the same native variety that was originally found in these waters that we would be reintroducing?

**MR. SMITH:**

We will be using native stock from the Peconics that we go out and collect from those remnants populations. It will be •• have a genetic diversity of the Peconic Bay; in the native Peconic Bay. We're not using like an engineered scallop or anything that might have come from another location or from a foreign country or something ••

**LEG. LOSQUADRO:**

That was exactly my point. I just wanted to make sure we were •• we are reintroducing, you know, descendents of the native stock.

**MR. SMITH:**

Yes, we collect all our brood stock from out in the Peconics.

**LEG. LOSQUADRO:**

Great, thank you.

**CHAIRMAN CRECCA:**

We don't want any inter•racial scallops. I had some questions on the funding or the proposal •  
• absolutely, I'm going to get in trouble, but what can I tell you?

One question I had was on •• I'm looking through some of the •• well, first of all there's a work boat for \$30,000.

**MR. SMITH:**

Yes.

**CHAIRMAN CRECCA:**

What happens to that boat at the end of this •• I guess what is it, a four•year program?

**MR. SMITH:**

Well, those vessels would continue to •• into production of scallops and production of shellfish and marine education. Certainly our vessel that we would have would continue in our fleet to do those efforts. And Southampton College conducts a significant amount of marine research throughout Suffolk County. They're doing some work in Great South Bay on submerge aquatic vegetation. They're doing a lot of work in Shinnecock Bay and in Peconic Bay. And I'm certain those vessels will go towards good use. If the county felt they would want those vessels back, certainly you have purchased them and we would return the vessels to you if you felt you had a better use for them.

**CHAIRMAN CRECCA:**

Again, I can't even answer the legality of that one. Once we do this, once we spend the money on a program like that, do we own the boats or does Cornell own the boats? How does that work? I don't know if, Bill, if you can answer that or not?

**MR. SHANNON:**

I don't think I can answer that today, Andrew.

**CHAIRMAN CRECCA:**

I'm just not sure about that. And the other question I had regarding the funding was •• bear with me one second. I'm looking at •• on the salary •• I'll just pick one, for example. For free planting and field monitoring work. I'm showing field work salary of \$320,000 for example under that category. But I'm showing fringe and indirect costs on those salaries equal well more than 50%. It's almost 60% of the cost •• I'm showing \$168,000 in fringe and indirect costs on those salaries. And those seem like awfully high numbers. I don't know if someone can explain those. I'm sorry, if I'm reading it correctly the fringe is 151 on 168 of salary.

**MR. TETTELBACH:**

My name is Steve Tettelbach. I'm a professor at South Hampton College of LIU. These are the quoted rates from our grants office. And basically what the fringe rate is, is basically equal to almost what the salary rate is. That's what the university charges as overhead for, you know,

use of equipment and facilities at the university and other things that go into the overhead. So, this actually is a standard rate that they charge for grants. And that's the rate that you're seeing in that ••

**CHAIRMAN CRECCA:**

If I'm reading it correctly, that's like a 91 and change, almost 92% rate on those salaries. That's ••

**MR. TETTELBACH:**

That's actually •• it's actually lower than what other universities charge. It's a fairly standard rate for that.

**CHAIRMAN CRECCA:**

How do you justify that?

**MR. TETTELBACH:**

This is what the university typically does on grants that they receive. I should add that in speaking with the grants office, they have said that this is not fixed in stone. It is negotiable to some extent.

**LEG. BINDER:**

Who negotiates it?

**CHAIRMAN CRECCA:**

I don't know. Actually this is Cornell •• this is Cornell's proposal. So ••

**MR. SMITH:**

Well, we would work with Bill's office.

**CHAIRMAN CRECCA:**

You know, I wasn't like saying •• like dumping like it's Cornell's fault. But the proposal was put together by Cornell. That's all I meant by it. I didn't mean it in a disparaging way whatsoever. I just meant that's how the numbers came to be; correct?

**MR. SMITH:**

Correct.

**MR. SHANNON:**

That's correct.

**CHAIRMAN CRECCA:**

Then this was submitted to the Committee for review. Are there any other questions from Legislators? Legislator Lindsay.

**LEG. LINDSAY:**

I don't know whether this was asked while I was out of the room and I apologize for that. But the basic program is a mass seeding of the Peconic Bay. Are we •• is there any provisions that can be taken or would be taken to prevent the brown tide from coming in and killing this mass seeding?

**MR. SMITH:**

Well, one of the things we're doing is targeting areas that in the past have had minimal brown tide impacts. Our first area that we target where these millions of scallops is going to be Hallock's Bay. And Hallock's Bay is out on the tip of the north fork in the Orient area. In the past it's had brown tide presence. But the scallop has been able to survive in that area when it hasn't in other areas. So, we would like to target that area first. Also, the brown tide hasn't come back since '95 or so. It's been almost ten years now. And we kind of feel although brown tide can't be totally predicted, that the fact we've had a lot of rains recently and other aspects of the ecology of the bay, I know the Office of Ecology does weekly samples. And they can give us an early warning system. Usually there's a peak of brown tide earlier in the season. It's kind of interesting. Earlier in the spring there's a little peak of brown tide. And then it goes away and then comes back in force in years that we have the brown tide. So that early peak could give us some early warning that brown tide may be coming back. But to tell you the truth, we selected the area that has had minimal brown tide impact. And scallops have lived in this area through all the brown tide events that we've had in the past.

**LEG. LINDSAY:**

Is there going to be any restrictions on harvesting the scallops for a certain period of time in order to get these seedlings a chance to take hold?

**MR. SMITH:**

Great question. The scallop lives for two years. And then dies. It spawns one time primarily;

although about 10% of the stock spawns a second time. When we release these scallops, they will not be harvestable size. The scallops that we do release that are the large second year ones, the several million that I mentioned, will spawn in •• outside the allowable season for harvest. So, the scallops are going to be protected in nets. The largest scallops will be protected in nets from any kind of harvesting or protected by closed season from any kind of harvesting to prevent that.

**LEG. LINDSAY:**

Okay.

**MR. SMITH:**

You know, you had a good question. There's a big battle going on in Chesapeake Bay right now about what oysters to bring back in. And they have selected to try a ••

**LEG. LOSQUADRO:**

Chairman, if I may, part of that was also tied into, and I think you may be going there •• are there other varieties that may be more disease resistant or tolerant of these conditions, but may not be native to our environment? So, I'm assuming with all the work you've put into this, it's a fine line to walk. But I'm assuming that the direction you would most likely lean towards as environmentalists would be to re•introduce the native stock. But please continue. I'd like to •• sort of where I was going with that. So, I'm interested to hear your comments.

**MR. SMITH:**

We feel strongly that we need to use the native stocks here. And we wouldn't really entertain unless there were absolutely no scallops left bringing in scallops from other areas; especially as far away as Chesapeake Bay is bringing them. There's a pretty significant battle going on at Chesapeake Bay over introduction of a Japanese type of scallop. And we just feel as you do it's better to use native stock. It's stronger, it's healthier. It's used to our conditions. It has a genetic diversity to survive here. And I believe that's what Chairman Crecca was getting at, that often bringing in non•native species can cause a lot of problems. And we wouldn't want to do that, you know, for sure. So, thank you.

**CHAIRMAN CRECCA:**

I was just trying to be funny, which I didn't •• I didn't do very well so ••

**LEG. BINDER:**

He's a scallop bigot.

**CHAIRMAN CRECCA:**

I'm a scallop hater. Actually •• actually I prefer sea scallops over bay scallops. So, I would ask counsel do I have to •• no, I'm just the opposite. I like bay scallops over sea scallops. Does that mean I have to abstain from voting on this? Is there a conflict of interest here?

**LEG. BINDER:**

I've got a better question. They're not kosher, are they? Can I vote on this?

**CHAIRMAN CRECCA:**

This is degenerating rapidly.

**LEG. BINDER:**

It is.

**CHAIRMAN CRECCA:**

I even lost my place here. We were talking about 1550. There's a motion •• is there a motion on this? A motion to table? I think •• I know I have some concerns just about some of the funding things; not necessarily in the overall program. We're meeting again in two weeks. I think that would give us a little more time. Certainly I don't think it would delay the program that much, two weeks, would it?

**MR. SMITH:**

That's fine. No, we can do that.

**CHAIRMAN CRECCA:**

So we can just take another closer look at this. It's \$2.2 million. Is Budget Review still here? I'd ask •• one of the things I'd ask you to just re•examine is some of those salary lines, you know, the fringes, and see if that is negotiable or at least have some discussions with, you know, Long Island University. We last year had a problem with some contract agencies where • and this •• I'm not •• where we were funding salaries at such a high level in a program. And the program numbers were not the same. Here it's equipment intensive program. There's no question about it. And I understand that. There's a tremendous amount of equipment here. The salaries are relatively low. It's seasonal workers for the most part as far as the overall grant is concerned. But then when you take someone who's making \$13,000 and you're paying fringe benefits in the area of 170,000, it's •• yeah, it causes some concern. I understand the university certainly needs to make money on it, or whatever, I guess, but maybe they can

make a little less.

**MR. SMITH:**

We'll pursue that number and see if we can get that changed.

**CHAIRMAN CRECCA:**

Okay. So, there's a motion to table by myself, seconded by Legislator Binder. All those in favor? Opposed? **1550 is tabled. (Vote 5•0•0•1)**

**1551 (amending the 2004 Operating Budget to transfer funds from the Suffolk County Water Protection Fund (477) Reserve Fund to the Cornell Cooperative Extension in partnership with Suffolk County Department of Public Works for "Suffolk County Department of Public Works for "Suffolk County Stormwater Phase II Program Implementation),** this is •• you guys might as well just stay up there. This is, I believe, 379,000 •• this is for the Phase II part of the program. Could either Bill or Tom or somebody just give us a one paragraph explanation. I'm familiar with it but just for my fellow Legislators.

**MR. SHANNON:**

It took me a minute to put it into one paragraph.

**CHAIRMAN CRECCA:**

There you go. Or you can use two, if you have to.

**MR. SHANNON:**

The Federal Environmental Protection Agency under the Clean Water Act of 1990 established a final rule which is called •• what we now call Phase II. It requires the mitigation of all non •point source discharges into our water ways. And we are required by the year 2008 to have a complete and implemented plan to mitigate all those discharges. The Department of Public Works felt that a joint venture with Cornell Cooperative Extension would be an appropriate way to attack this program. There are several parts of the program that Cornell has a great deal of expertise. And other parts that Suffolk County Public Works could take a lead on the expertise. So that the overtures were discussed. And we came up with a program that allows us to work together and we think that by 2008 we'll have a fully implemented program that will satisfy the requirements of the EPA.

The overall thrust is to start with a public outreach and education program to ensure that not

only adults but children or aware of the impacts of salt water runoff and dumping into our drains. We also have a public participation program where we reach out to the public for the purposes of getting their input with regard to this program. Then, we move onto more practical applications. There's identification of illicit discharges, pollution control, development of best management practices, things of that nature, which encompasses the entire program.

**CHAIRMAN CRECCA:**

Question, Legislator Lindsay.

**LEG. LINDSAY:**

Yeah. Bill, this •• just an informational question. Does this same federal statute •• I mean •• I think I was talking to you guys. You were telling me that in the future we're not going to be able to chlorinate the outflow of fluid from our sewer plants or something like that; that we have to develop a new •• is that part of this new federal standard?

**MR. SHANNON:**

Bill, I'd have to defer to Ben Wright on that. That sounds like a sanitary question and I can get an answer for you but ••

**LEG. LINDSAY:**

Okay. If you knew. It isn't pertinent to the issue.

**CHAIRMAN CRECCA:**

There's a motion to approve from Legislator Nowick, seconded by Legislator Lindsay. All those in favor? Opposed? **1551 is approved (Vote: 5•0•0•1)**

**1555 amending the adopted 2004 Operating Budget to reduce funding for County Health Clinics.** I believe there was a request from the sponsor to table. There is. I'll make a motion to table, seconded by Legislator Binder. All those in favor? Opposed? **1555 is tabled. (Vote: 5•0•0•1)**

The Health Commissioner's here? Oh, hi, Health Commissioner. I'm sorry. 1555? There was a request from the sponsor to table it.

**MR. ZWIRN:**

From what we understand, it's a \$4 million cut for the health clinics in Suffolk County. And that's quite a hit. The Health Commissioner is here to speak to it.

**CHAIRMAN CRECCA:**

The only thing •• and the only thing I would tell you, Health Commissioner, also, and you're more than welcome to speak, we welcome your words, but Legislator Alden did say that he did want to sit down so I would even ask following today's meeting, you know, sometime in the next week or two weeks if you could reach out to Legislator Alden and work on the bill with him and, you know ••

**DR. HARPER:**

I certainly will do that. I did call him today. This is my third day on the job •• to specifically discuss this issue. And just so that you are aware just for your own information, although the Bay Shore Health Center was closed back in 2001, I'm sure you're all aware, the patients are now going to the Brentwood Health Center, Central Islip Health Center. And all of the staff that formerly worked at Bay Shore are now working in those two facilities. So for us for receive a hit of \$4 million, that would have a dramatic affect on those two health centers. And certainly there's a top •• number one major item for me to address is reopening the Bay Shore Health Center. In fact, I have a meeting set up with the CEO of the South Side Hospital because my understanding there's already a proposed project. And I'm going to be discussing that with him on June the 14th.

**CHAIRMAN CRECCA:**

And I think this is absolutely an issue that is of importance not just to the Legislature but also specifically to Legislators Carpenter and Legislator Alden who served that area, the Bay Shore area and the surrounding areas. So, I'd ask you to reach out to them and I think their concern is, I know Legislator Alden is concerned about the length of time that the Bay Shore Clinic's been closed and whether everyone's really being served that needs to be served. So, I would encourage you to speak with him and we certainly won't move on this bill without your further input.

**DR. HARPER:**

I appreciate that. I certainly will follow up.

**CHAIRMAN CRECCA:**

Thank you and welcome. How do you like it so far?

**DR. HARPER:**

So far it's an interesting job.

**CHAIRMAN CRECCA:**

I like that. That's good. We have a very honest Health Commissioner. Thank you, Health Commissioner for coming down. I appreciate it, Doctor.

**We are on 1559 amending the 2004 Operating Budget transferring funds for landscaping at Green's Creek County Park. Is this like the ••**

**LEG. LINDSAY:**

Maybe the sponsor can make an explanation. Sure, I would love to. Thank you for asking.

**CHAIRMAN CRECCA:**

I just want to know, this isn't right next to your like legislative office or anything?

**LEG. LINDSAY:**

No, no no. This is in West Sayville. We had a capital project last year before I represented that district. We didn't have enough money to finish the project. I've been working with the Parks Department about how to finish it because what we've done is kind of a mess. And we've worked out an agreement to •• with the local civic association to do some of the work and some of the contributions. And the Parks Department then needs another \$20,000 to finish the project. Initial numbers were 250,000 to finish the project. So, pretty good.

**LEG. BINDER:**

Mr. Chairman, I just want to ask one question, Mr. Zwirn. Where's the County Executive on 1559?

**MR. ZWIRN:**

We support it.

**LEG. BINDER:**

You support it?

**MR. ZWIRN:**

Mr. Lindsay's been in touch with the Parks Department. Parks Commissioner, they're in support of it.

**CHAIRMAN CRECCA:**

There's a motion to approve by Legislator Lindsay, seconded by Legislator Binder, who's also supportive of this bill. All those in favor? Opposed? **1559 is unanimously approved. (Vote: 5•0•0•1).**

**1565 to further streamline, consolidate and reform County Management in the Division of Aviation. Budget and Finance.** There's a motion to table by myself, seconded by Legislator Nowick. All those in favor? Opposed? **1565 is tabled. (Vote: 5•0•0•1)**

**LEG. BINDER:**

Mr. Chairman?

**CHAIRMAN CRECCA:**

Yes.

**LEG. BINDER:**

Just a comment. Just an observation. Just an interesting observation on 1559 and I do support you.

**CHAIRMAN CRECCA:**

I just want to let everybody know not to run out. We skipped over one or two resolutions.

**LEG. BINDER:**

No one's going to run. As I support 1559, but it's \$20 thousand here, and we have \$20 thousand for trees and important landscaping. But there's not •• 75,000 for Touro or EAC. There's no •• there's another 20,000 that's not for •• not for the people. But we have •• but the County Executive has support for trees. And, you know, I just want to point out an interesting dichotomy.

**CHAIRMAN CRECCA:**

Here you go.

**LEG. LINDSAY:**

I'll take support any way I can get.

**LEG. BINDER:**

Well, you should. Legislator Lindsay. I will support you on that.

**CHAIRMAN CRECCA:**

There's a motion to reconsider 1565 by myself, second by Legislator Binder.

**LEG. LINDSAY:**

Aviation.

**CHAIRMAN CRECCA:**

Yeah. On the motion •• well, let me just finish. Is it okay •• is this on the motion to reconsider?

**LEG. LINDSAY:**

Yes.

**CHAIRMAN CRECCA:**

Okay, Legislator Lindsay on the motion to reconsider.

**LEG. LINDSAY:**

I'm all for it.

**CHAIRMAN CRECCA:**

All those in favor of reconsidering 1565? Opposed? 1565 is back before us. There's a motion to approve for the purpose of defeat by myself, seconded by Legislator Losquadro. On the motion. Legislator Lindsay?

**LEG. LINDSAY:**

Yeah, I'd like an explanation of what the bill tries to do and why do we want to defeat it.

**CHAIRMAN CRECCA:**

Sure.

**MR. ZWIRN:**

Legislator Lindsay, this is a bill submitted by the County Executive. Now that we have a full •time Director, a professional Director at the airport, there is no need any longer to have a deputy at the airport. The airport is running very well, much better apparently than it had in the past. New fees have been set. I mean, they're working on the master plan. And it's just it would be a savings for the County and it's an unnecessarily funded position.

**CHAIRMAN CRECCA:**

If I can, though, when we originally discussed this bill myself, Mr. Zwirn, Deputy County Executive Sabatino and the County Executive himself, we had discussed many things about the bill. And among those things discussed was the idea that we all are in agreement that we would leave that assistant manager in place through the end of the year, see that we thought it was at least a transition period that needed to be accommodated during this time period, especially bringing somebody new in. And there's a lot of work obviously. Well, there's also beyond the issue of continuity, there was an issue of also the amount of things that you guys are trying to do at the airport, the initiatives that are being taken by both the Legislature as well as and even more so by the County Executive. So I guess the change in position ••

**MR. ZWIRN:**

There was a tour made by a number of Legislators from this body at the airport. And when they made that tour, they were very critical of the way the airport had been run previously. They made very public statements about they thought that it was just not done properly. Since that time we now have a professional manager there. And the airport we all believe is being run •• Legislator Schneiderman, yesterday said that he's very pleased with the way the airport seems to be shaping up. Even though there's a lot of work to be done, the present director has been capable of getting it done with the staff without this position. It's not necessary so •• things have changed since that time.

**CHAIRMAN CRECCA:**

What specifically has changed? I know I spoke with Legislator Schneiderman as recently as yesterday.

**MR. ZWIRN:**

Right.

**CHAIRMAN CRECCA:**

And his understanding was, was that this wasn't going to move forward; that things were going to stay as is. But, you know, and that was clearly my understanding that day. And certainly we try to rely on each other's word, obviously, in dealings, but there are significant changes in circumstances that you can point out to this body, we'll certainly consider it.

**MR. ZWIRN:**

That was a significant change in circumstance when two Legislators •• one from that district was highly critical. So, we decided we'd recognize where the problems were and we tried to correct it in part by this piece of legislation that's before us today.

**LEG. LOSQUADRO:**

Mr. Zwirn, if I may respectfully submit in respect to my colleagues, first of all, I was not invited on this tour, but I do not know if any of my colleagues are experts in aviation management. So, if they were critical of the way the airport was run, I don't see what bearing that has on it. Their opinion is wonderful, but they're certainly not experts in this field, are they?

**MR. ZWIRN:**

I can't speak to that but one of the ••

**LEG. LOSQUADRO:**

You cited their opinion as reason for ••

**MR. ZWIRN:**

They're elected •• they're elected officials and represent that particular area.

**LEG. LOSQUADRO:**

I understand but you cited their opinion as reason for changing your stance on this, so ••

**MR. ZWIRN:**

Right. Because they raised a fuss about it. And we concur. We tried to remedy the situation by bringing in a professional manager. And there's no need for this other position. There's not enough •• there's not enough help coming from that position as it is now. That would make a difference. We can save that salary.

**LEG. BINDER:**

Mr. Chairman.

**CHAIRMAN CRECCA:**

Yes, Legislator Binder.

**LEG. BINDER:**

It's clearly disturbing when there are discussions between the County Executive's offices and •• County Executive himself let alone his high ranking officials in his administration and Legislators as to a plan to go forward on anything. And this is just one thing. And I'm not particularly involved in this, but as kind of almost as a legislative observer as to •• and I heard the discussions overtime. Legislator Crecca reported back and told us what was going on. And so as we were moving forward on other legislation, which has to do with this, and the manager and all that, it was based upon representations and understandings between two parties. And, you know, you hope to take someone's word. It's really unfortunate when one party decides that things have changed enough because they've decided to change enough to change their word. Usually when someone says this is where we're going on something and they decide that they need to change something, they go back to that person or those people that they gave their word to. And I'm assuming here by the questioning from Legislator Crecca, that no one called Legislator Crecca and said, Legislator, we want to talk to you. You know, we know we said this in the meeting. Hear our concerns. This is what's going on. And I would •• let me confirm it, if I can with you, Legislator Crecca, did they come back to you? Did the County Executive come back to you and say things have changed, we have new circumstances. We'd like to discuss our concerns and how we'd like to change because they gave their word. And we did things. They do things and so •• did they come back to you before putting this in to say there was such significant change that they had to make these changes?

**MR. ZWIRN:**

We did have a •• we did have a brief discussion at the last general meeting.

**CHAIRMAN CRECCA:**

Before this bill was filed? I thought it was after the bill was filed.

**LEG. BINDER:**

Right. That's the point.

**MR. ZWIRN:**

I think it was •• it was before the bill was filed. Just prior.

**CHAIRMAN CRECCA:**

I'll let Mr. Zwirn's recollection recall. I certainly did protest to the filing of the bill either ••

**MR. ZWIRN:**

Okay.

**CHAIRMAN CRECCA:**

•• just before or just after it was filed.

**LEG. BINDER:**

And so there it is. And if •• if the •• this is just going forward. If the County Executive's ability •• have credibility with Legislators here, you know, if we sit down and we think that two Legislators •• I mean it's convenient. It was very convenient that two Legislators, they criticized so we can use that as a reason, too. I mean too •• unless you're setting a precedent. Now, if I am critical or I have problems or something in my district and you're going to deem me enough of an expert that you're going to file legislation to back me up, or you're going to back up Legislator Losquadro or Legislator Crecca, Legislator Lindsay, if you're going to start backing us up when we have criticism and concerns, and because we are •• you know, we know these things and we've been around a long time and we're going to start getting legislation from the County Executive to back us up in our concerns •• my guess is that's not going to happen. And so my guess is that this •• this is just basically breaking the word of the County Executive. That's what they did. And my suggestion is to think about that long and hard as you go forward because you're going to have a lot of problems dealing with Legislators if we're going to sit down and •• across the table we're going to think, um, this is good for now but they might come up with something, a significant change; and then they're going to change the circumstance and then change their word. That's going to be a problem going forward. And I would hope that that •• I would hope that the administration will think about it.

**CHAIRMAN CRECCA:**

There's a motion. I even forgot it was so long ago. There's a motion to approve for the purposes of defeat by myself, seconded by Legislator Binder. Can we get Legislator Nowick here, please? I apologize, Legislator Nowick, but I didn't want you to miss a vote. Motion to

approve for purposes of defeat on 1565. All those in favor? Opposed?

**LEG. BINDER:**

Opposed.

**LEG. LINDSAY:**

Opposed.

**LEG. LOSQUADRO:**

Opposed.

**LEG. NOWICK:**

Opposed.

**CHAIRMAN CRECCA:**

Legislator Losquadro, Nowick, Binder, Crecca and Lindsay. **1565 unanimously fails. (Vote: 5•0•0•1)**

We have •• I'm going to go back on the regular agenda. We skipped •• I'm going to come back to that. We skipped over 1505. I wanted the County Executive's Office have an opportunity to review the correspondence from Police Commissioner Dormer. And I'm going to jump back. I just want to get done with the regular prime resolutions. I'm sorry, did you ••

**MR. ZWIRN:**

Yes. And that wasn't the problem. We would just like to see if we can table so we find another offset. It's a short cycle.

**CHAIRMAN CRECCA:**

Just for those who don't know, it's 1505. It's the Amityville ••

**MR. ZWIRN:**

We don't have a problem with the bill. We just •• again, we have to look for another offset for the catamaran vehicle. I mean, we'd just like to find another offset.

**CHAIRMAN CRECCA:**

Okay. There's a motion to table by Legislator Lindsay, seconded by, myself. All those in favor? Oppose? **Tabled. (Vote: 5•0•0•1).**

I would ask Mr. Zwirn if you would be so kind as to reach out to Legislator Bishop directly. I did tell him this morning that I didn't anticipate a problem with it based on the correspondence. So, you know. One way or the other I'd like to move this at the next meeting or if there's something that can be worked out between now and Tuesday, I certainly would consider a discharge onto the floor.

1475, we had to come back to, also. I'm working backwards, people. That was the Sheriff's position. Was there something that Budget Review was checking on with that or was that •• did we just pass over that for •• this is the 2004 •• amending the 2004 budget •• create the position in the Sheriff's office.

**MR. SPERO:**

The fiscal impact statement was filed on June 1st for this resolution. The cost differential for •• the annualized cost differential for the added positions is 180 •• \$180,560. And that cost over five years assuming no pay increases is \$902,799.

**CHAIRMAN CRECCA:**

When we •• when we passed the original addition of the fifty correctional officers, did we make any •• if you know, Jim, did we make any provisions for the appropriate or proper supervisory staff for those positions? That's my concern. Because I looked at this and I spoke to the sheriff. And ••

**MR. SPERO:**

It created 20 positions with no supervisory positions.

**CHAIRMAN CRECCA:**

You know, because that was only Deputy Sheriffs. See, what was when we created the Deputy Sheriffs positions, we created the supervisory staff along with it. When we did the correctional officers, we didn't. And I don't know what the reason for that was or where it was. But I think I already made a motion to approve, but I'll make it again just in case the Clerk didn't get it. Seconded by Legislator Losquadro.

**MS. BIZZARRO:**

If I could just put a comment on the record?

**CHAIRMAN CRECCA:**

Sure. On the motion, I was going to say Legislator Bizzarro, but that would be bizarre.

**MS. BIZZARRO:**

Thank you.

**CHAIRMAN CRECCA:**

Ms. Bizzarro.

**MS. BIZZARRO:**

I just want to make a comment regarding the legality of this resolution. I believe it suffers from a problem that a prior bill suffered from, I think it was 1449 in that there was no offset set forth in this resolution. And I say that because I find the resolution to be vague. I don't really know what the resolution is doing. I mean, you can say perhaps the \$56,000 is an offset, but it sounds like it is not. So, there does not appear to be any true offset for this and ••

**CHAIRMAN CRECCA:**

That confuses me. I don't know •• I have a copy of the bill here. When you say there doesn't seem to be an offset, I'm really not sure what you're referring to. It's \$56,000 out of one account and put into another account. That's exactly ••

**MS. BIZZARRO:**

And is that for the 17 new positions? That's what I just don't know by just looking on the face of this resolution.

**CHAIRMAN CRECCA:**

That would be exactly what it's for. It's a cost differential between •• to put those positions in. So ••

**MR. SPERO:**

For one fourth of the year.

**CHAIRMAN CRECCA:**

Correct, yes. For the last quarter of the year.

**MS. BIZZARRO:**

Oh, okay. All right. Then ••

**CHAIRMAN CRECCA:**

The other thing, too, is I'd ask you to address the question that I had earlier, which was because •• related to 1449, I guess, it was. How did we •• I don't see any difference. I just had counsel pull up a copy of the bill where we created the ethics directory, I guess, it was. I don't see any difference between that bill and the current bill substantively as to what we were doing.

**MS. BIZZARRO:**

Well, there was an explanation of this. And I think it was under section 4•32. They did an amendment that way. And then they slated it into the Department of Law and said that there were appropriate funds in the Department of Law to pay for that. You just don't see that in the body of 1449.

**CHAIRMAN CRECCA:**

Oh, okay.

**MS. BIZZARRO:**

I don't see the explanation for it. And, again, I think that this 1475 suffers from the same just lack of explanation. And it leaves me to have to infer what is being done here.

**CHAIRMAN CRECCA:**

Certainly the Legislative record will serve for that if there is ever a dispute as to •• what the intent of the bill was.

**LEG. BINDER:**

Mr. Chairman.

**CHAIRMAN CRECCA:**

Mr. Binder.

**MS. BIZZARRO:**

Okay. Thank you.

**LEG. BINDER:**

The other answer to that is that there's no other options. And I think, Jim, in Budget Review

was pretty clear about it. If there are no other options, it's got to come from within the budget itself. So, it doesn't •• I mean I guess the clarity would be nice but it's not necessary because there's no other place for the money to come from than in the budget •• right where the budget •• you know, the budget surplus that exists in the line.

**CHAIRMAN CRECCA:**

Legislator Lindsay.

**LEG. LINDSAY:**

I'm not sure whether I understood what Legislator Binder meant by that because, I mean, we're talking with the sheriff's budget which really is bottomless; is it not? I mean when the sheriff has to expend money to house prisoners and guard the prisoners and move them upstate or whatever, we just have to keep reappropriating the line. Am I right or wrong?

**MR. SPERO:**

Well, technically that's right. Technically to the extent he over expends his budget, a resolution should be submitted to transfer funds from other areas of the budget to ••

**LEG. LINDSAY:**

Do we do that?

**MR. SPERO:**

•• provide the sheriff with the appropriations that are needed.

**LEG. LINDSAY:**

Do we do that?

**MR. SPERO:**

Typically we don't. The comptroller •• the IFMIS system is not set up to •• to trigger a balancing of payroll if there are insufficient appropriations. It's just the opposite. It allows the payroll to go through even though the appropriations are not there to fund that particular payroll. That's a whole other technical issue which we've been dealing with for a number of years.

**LEG. LINDSAY:**

The other question that I have, is we put additional correction officers in last year's budget. Have those people finished the academy and are sworn officers now?

**MR. BORTZFELD:**

There's not even a correction officer class set up yet.

**LEG. LINDSAY:**

So the additional officers have not been •• put into the academy yet?

**MR. BORTZFELD:**

No.

**LEG. LINDSAY:**

So why do we need extra supervision if we don't have the officers?

Anybody know?

**MR. ZWIRN:**

There's nobody there.

**CHAIRMAN CRECCA:**

You're not going to fulfill the policy that we ••

**MR. BORTZFELD:**

There just no class scheduled yet for the correction officers. That gets done through the sheriff's office. The Deputy Sheriffs classes get done through the police academy. There's no class scheduled yet to my knowledge.

**CHAIRMAN CRECCA:**

And how long is the class, do you know?

**MR. BORTZFELD:**

I think it's three months. Three months for correction officers.

**CHAIRMAN CRECCA:**

Just so you understand, I had a conversation with the sheriff directly on this matter. And he wanted them in place because he anticipated their graduation, I believe, in November. So, but again, you know, around that time. So, he wanted to have the supervisors in place so that he

could immediately put them to use in December so ••

**LEG. LINDSAY:**

I'd like to make a motion to table the resolution and let it go through the normal budget process that will start taking place in the fall.

**CHAIRMAN CRECCA:**

There's a motion to table. Is there a second? The motion to table lacks •• fails for lack of a second. There's a motion pending, I believe, already to approve. And a second. All those in favor? Opposed?

**LEG. LINDSAY:**

Opposed.

**CHAIRMAN CRECCA:**

List Legislator Lindsay as opposed. **1475 is approved 4•1. (4•1•0•1)**

**There's Sense Resolution, Sense 36 memorializing resolution requesting Secretary of the United States Department of Health and Human Services to review and restructure the local funding of Medicaid.** Anyone have anything they want to •• make a motion on this, say anything?

**LEG. LINDSAY:**

I'll make a motion.

**CHAIRMAN CRECCA:**

There's a motion from Legislator Lindsay. Do I have a second? There's a second by myself. All those in favor? Opposed? **Sense 35 is passed. (Vote: 5•0•0•1)**

There being no other business before us, this meeting is adjourned.

**(THE MEETING ADJOURNED AT 2:53 PM)**